

Appendix B

Categorical Exclusion Checklist

Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number RLR-124161	Tracking Number <i>(NEPA Administration Use Only)</i> 1331
Form Preparer Randall E Lowe	Project Initiator/Manager Randall E Lowe	Business Unit RSOE - Resource Stewardship
Project Title ROW permanent easement for private road & utilities		Hydrologic Unit Code
Description of Proposed Action <i>(Include Anticipated Dates of Implementation)</i> <input type="checkbox"/> Continued on Page 3 <i>(if more than one line)</i> Land Activity Type: Easement Applicant(s): James M. Lee M.D. 514 Joyce Street South Orange NJ 07050		
Initiating TVA Facility or Office Kentucky Watershed Team	TVA Business Units Involved in Project RSOE - Resource Stewardship	
Location <i>(City, County, State)</i> For Project Location see Attachments and References		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

Part 1. Project Characteristics

Is there evidence that the proposed action—	No	Yes	Information Source
1. Is major in scope?	X		Lowe R. E. 02/11/2003
2. Is part of a larger project proposal involving other TVA actions or other federal agencies?	X		Lowe R. E. 02/11/2003
*3. Involves non-routine mitigation to avoid adverse impacts?		X	For Comments see Attachments
4. Is opposed by another federal, state, or local government agency?	X		Lowe R. E. 02/11/2003
*5. Has environmental effects which are controversial?	X		Lowe R. E. 02/11/2003
*6. Is one of many actions that will affect the same resources?	X		Lowe R. E. 02/11/2003
7. Involves more than minor amount of land?	X		Lowe R. E. 02/11/2003

*If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

Part 2. Natural and Cultural Features Affected

Would the proposed action—	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Potentially affect endangered, threatened, or special status species?	X		No	No	For Comments see Attachments
2. Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?		X	No	Yes	For Comments see Attachments
3. Potentially take prime or unique farmland out of production?	X		No	No	Lowe R. E. 02/11/2003
4. Potentially affect Wild and Scenic Rivers or their tributaries?	X		No	No	Pflueger R. L. 09/03/2002
5. Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	Pflueger R. L. 09/03/2002
6. Potentially affect wetlands, water flow, stream channels, or stream banks?		X	No	No	For Comments see Attachments
7. Potentially affect the 100-year floodplain?		X	No	Yes	For Comments see Attachments
8. Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?	X		No	No	Jenkins G. D. 08/09/2002
9. Contribute to the spread of exotic or invasive species?	X		No	No	Jenkins G. D. 08/09/2002
10. Potentially affect migratory bird populations?	X		No	No	Jenkins G. D. 08/09/2002
11. Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?	X		No	No	Jenkins G. D. 08/09/2002
12. Potentially affect surface water?	X		No	No	Jenkins G. D. 08/09/2002
13. Potentially affect drinking water supply or potable water?	X		No	No	Lowe R. E. 02/11/2003
14. Potentially affect groundwater?	X		No	No	Lowe R. E. 02/11/2003
15. Potentially affect unique or important terrestrial habitat?	X		No	No	Jenkins G. D. 08/09/2002
16. Potentially affect unique or important aquatic habitat?	X		No	No	For Comments see Attachments

Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidentally or unplanned)—	No	Yes	Permit	Commitment	Information Source for Insignificance
1. Release air pollutants?	X		No	No	Lowe R. E. 02/11/2003
2. Generate water pollutants?	X		No	No	Lowe R. E. 02/11/2003
3. Generate wastewater streams, change the quality or quantity of a discharge or affect wastewater monitoring equipment or treatment systems?	X		No	No	Lowe R. E. 02/11/2003
4. Cause soil erosion?	X		No	No	Lowe R. E. 02/11/2003
5. Discharge dredged or fill materials?	X		No	No	Jenkins G. D. 08/09/2002
6. Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	Lowe R. E. 02/11/2003
7. Generate or release hazardous waste (RCRA)?	X		No	No	Lowe R. E. 02/11/2003
8. Generate or release universal or special waste, or used oil?	X		No	No	Lowe R. E. 02/11/2003
9. Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	Lowe R. E. 02/11/2003
10. Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	Lowe R. E. 02/11/2003
11. Involve disturbance of pre-existing contamination?	X		No	No	Lowe R. E. 02/11/2003
12. Generate noise levels with off-site impacts?	X		No	No	Lowe R. E. 02/11/2003
13. Generate odor with off-site impacts?	X		No	No	Lowe R. E. 02/11/2003
14. Produce light which causes disturbance?	X		No	No	Lowe R. E. 02/11/2003
15. Release of radioactive materials?	X		No	No	Lowe R. E. 02/11/2003
16. Involve underground or above-ground storage tanks or bulk storage?	X		No	No	Lowe R. E. 02/11/2003
17. Involve materials that require special handling?	X		No	No	Lowe R. E. 02/11/2003

Part 4. Social and Economic Effects

Would the proposed action—	No	Yes	Commitment	Information Source for Insignificance
1. Potentially cause public health effects?	X		No	Lowe R. E. 02/11/2003
2. Increase the potential for accidents affecting the public?	X		No	Lowe R. E. 02/11/2003
3. Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X		No	Lowe R. E. 02/11/2003
4. Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X		No	Lowe R. E. 02/11/2003
5. Disproportionately affect minority or low-income populations?	X		No	Lowe R. E. 02/11/2003
6. Involve genetically engineered organisms or materials?	X		No	Lowe R. E. 02/11/2003
7. Produce visual contrast or visual discord?	X		No	Lowe R. E. 02/11/2003
8. Potentially interfere with recreational or educational uses?	X		No	For Comments see Attachments
9. Potentially interfere with river or other navigation?	X		Yes	Hammond K. H. 08/27/2002
10. Potentially generate highway or railroad traffic problems?	X		No	Lowe R. E. 02/11/2003

Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action—	No	Yes	Commitment	Information Source
1. Release or otherwise use substances on the Toxic Release Inventory list?	X		No	Lowe R. E. 02/11/2003
2. Involve a structure taller than 200 feet above ground level?	X		No	Lowe R. E. 02/11/2003
3. Involve site-specific chemical traffic control?	X		No	Lowe R. E. 02/11/2003
4. Require a site-specific emergency notification process?	X		No	Lowe R. E. 02/11/2003
5. Cause a modification to equipment with an environmental permit?	X		No	Lowe R. E. 02/11/2003
6.				
7.				
8.				
9.				
10.				

Description of Proposed Action (Include Anticipated Dates of Implementation)

☐ Continued from Page 1

Parts 1 through 4: If "yes" is checked, describe in the discussion section following this form why the effect is insignificant. Attach any conditions or commitments which will ensure insignificant impacts. Use of non-routine commitments to avoid significance is an indication that consultation with NEPA Administration is needed.

An ☒ EA or ☐ EIS will be prepared.

Based upon my review of environmental impacts, the discussions attached, and/or consultations with NEPA Administration, I have determined that the above action does not have a significant impact on the quality of the human environment and that no extraordinary circumstances exist. Therefore, this proposal qualifies for a categorical exclusion under Section 5.2. _____ of TVA NEPA Procedures.

Project Initiator/Manager Randall E Lowe		Date 03/13/2003
TVA Organization RSO&E	E-mail relowe2@tva.gov	Telephone

Site Environmental Compliance Reviewer

Final Review/Closure

Signature

Randall E Lowe

Signature

03/13/2003

Other Review Signatures (as required by your organization)

Joseph W Phillips

Signature

03/13/2003

Signature

Signature

Signature

Signature

Signature

Attachments/References

Project Location

Decatur, TN, Reservoir Name: Kentucky Stream Name: Tennessee R River Mile: 157.9 Bank Location: L Land Tract(s): GIR 7673 F GIR 7666 Map Sheet(s): 244 C/D Stage 110 33 NW Facility(s): Causeway/Roadway, Utilities - Aerial Electric Utilities, Underground water lines.

CEC General Comment Listing

1. page 1 application
By: ALIS Added Comment
Files: 26aapplication1.pdf 09/10/2002 114,108 Bytes
2. page 2 application
By: ALIS Added Comment
Files: 26aapplication2.pdf 09/10/2002 106,384 Bytes

CEC General Comment Listing

3. deed page1
By: ALIS Added Comment
Files: 7666deed1.pdf 09/10/2002 120,366 Bytes
4. deed page 2
By: ALIS Added Comment
Files: 7666deed2.pdf 09/10/2002 111,362 Bytes
5. deed page 3
By: ALIS Added Comment
Files: 7666deed3.pdf 09/10/2002 23,291 Bytes
6. deed page 4
By: ALIS Added Comment
Files: 7666deed4.pdf 09/10/2002 32,422 Bytes
7. flowage easment document 1
By: ALIS Added Comment
Files: 7673F1.pdf 09/10/2002 50,054 Bytes
8. flowage easement document 2
By: ALIS Added Comment
Files: 7673F2.pdf 09/10/2002 105,399 Bytes
9. flowage easement document 3
By: ALIS Added Comment
Files: 7673F3.pdf 09/10/2002 112,451 Bytes
10. flowage document 4
By: ALIS Added Comment
Files: 7673F4.pdf 09/10/2002 129,870 Bytes
11. flowage document 5
By: ALIS Added Comment
Files: 7673F5.pdf 09/10/2002 82,987 Bytes
12. flowage document 6
By: ALIS Added Comment
Files: 7673F6.pdf 09/10/2002 67,603 Bytes
13. tract information
By: ALIS Added Comment
Files: 7673Fdeed1.pdf 09/10/2002 48,491 Bytes
14. coordination form
By: ALIS Added Comment
Files: CoordinationForm.doc 09/10/2002 95,232 Bytes
15. exhibit map
By: ALIS Added Comment
Files: exhibit_map.pdf 09/10/2002 387,305 Bytes
16. field check list
By: ALIS Added Comment
Files: FieldCheckList.doc 09/10/2002 139,264 Bytes
17. photo of project
By: ALIS Added Comment
Files: lookAtoB.JPG 09/10/2002 673,380 Bytes
18. project photo
By: ALIS Added Comment
Files: lookAtoC.JPG 09/10/2002 909,478 Bytes

CEC General Comment Listing

19. project photo
By: ALIS Added Comment
Files: lookBtoA.JPG 09/10/2002 694,739 Bytes
20. project photo
By: ALIS Added Comment
Files: lookDtoE.JPG 09/10/2002 514,508 Bytes
21. project photo
By: ALIS Added Comment
Files: lookFtoG.JPG 09/10/2002 328,584 Bytes
22. land use application
By: ALIS Added Comment
Files: LUapplication1.pdf 09/10/2002 139,702 Bytes
23. land use application page 2
By: ALIS Added Comment
Files: LUapplication2.pdf 09/10/2002 131,721 Bytes
24. project map
By: ALIS Added Comment
Files: proj_map.pdf 09/10/2002 498,421 Bytes
25. project description page 1
By: ALIS Added Comment
Files: projectdescription1.pdf 09/10/2002 75,471 Bytes
26. project description page 2
By: ALIS Added Comment
Files: Projectdescription2.doc 09/10/2002 22,016 Bytes
27. riprap form
By: ALIS Added Comment
Files: riprapform.pdf 09/10/2002 65,143 Bytes
28. survey map 1
By: ALIS Added Comment
Files: surveymap.pdf 09/10/2002 89,507 Bytes
29. survey map 2
By: ALIS Added Comment
Files: surveymap2.pdf 09/10/2002 67,336 Bytes
30. survey map 3
By: ALIS Added Comment
Files: surveymap3.pdf 09/10/2002 67,443 Bytes

CEC Comment Listing

Part 1 Comments

3. MOA is required. Abbreviated EA to be completed.
By: Randall E Lowe 02/11/2003

Part 2 Comments

1. The TVA Heritage Database indicated the presence of a number of federally listed endangered mussels and the endangered gray bat very near this project location. However, due to the nature of this project and the fact that no sediment disturbance will occur below the winter pool elevation, no impact to these species is expected.
By: Gary D Jenkins 03/12/2003

CEC Comment Listing

2. The requirement for screening will be included in the EA.

By: Randall E Lowe 03/11/2003

2. The tract of land to be developed as an RV campground is directly across the Tennessee River from the historic city of Clifton, portions listed on the National Register of Historic Places. Old Highway 114 is the road access to the former ferry crossing at Clifton which is also eligible for listing on the Register. Development is to be screened from view from Clifton with plantings.

By: Charles R Tichy 09/17/2002

2. MOA required. Abbreviated EA to be completed.

By: Randall E Lowe 02/11/2003

6. NWI Database indicates the presence of jurisdictional wetlands all along the stream channel of Penny Hassel Branch. However, a site visit found no wetlands at this location which would be impacted by the proposed action.

By: Gary D Jenkins 03/12/2003

7. See attached response.

By: Roger A. Milstead 09/09/2002

Files: 124162pat.doc 09/09/2002 46,592 Bytes

16. I have reviewed this application package, as well as the TVA Heritage and NWI Databases for the project location. No significant resource indicators were found for this site. Therefore, with the implementation of the 26a Standard Conditions 6a,b,d,e,f,h, and i, I concur with the approval of this permit.

By: Gary D Jenkins 08/09/2002

16. Per Gary Jenkins 8/9/02 comment on CEC 1330, the riprap must be handplaced around trees & shrubs to protect them from possible damage.

By: Randall E Lowe 02/11/2003

Part 4 Comments

8. Also, RS General Condition 14 and Standard Condition 6a limit removal of vegetation on TVA land.

By: Randall E Lowe 03/11/2003

8. The possibility of moving the access ROW as suggested was evaluated and determined not to be feasible. In an email dated 3/10/03 from Richard Pflueger to Randy Lowe stated, 'The proposed development will have insignificant affects on public recreation facilities, activities and resources.'

By: Randall E Lowe 03/11/2003

8. I recommend that the applicant move the proposed access road across TVA in a northward direction (away from the river) approximately 150-200 feet. This will provide additional buffer for the public using the nearby river access and informal use area. I recommend that clearing of vegetation by the applicant be expressly limited to the easement area only. Any signage at this area proposed by the applicant should be contained within the easement area.

By: Richard L Pflueger 09/03/2002

CEC Commitment Listing

Part 2 Commitments

7. User Defined

By: Roger A. Milstead 09/09/2002

Part 4 Commitments

8. Removal of vegetation, particularly woody vegetation providing bank stabilization, will be minimized.

By: Richard L Pflueger 09/03/2002

9. We have no problem with the request for a permanent easement for a private road and utilities at this location and recommend issuance of the requested permit contingent upon the following condition: 1. The lengths of future

dock facilities at this location will be limited on a case by case basis. 2. We request to receive a surveyed plat of the riverfront lots when it is available. 3. We may do a field review in cooperation with your office to determine appropriate dock lengths for the development after we receive the plat.

By: Kelie H Hammond 08/27/2002